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14 Attorneys for Defendant
15 PEROT SYSTEMS CORPORATION

16 ANGELITA GOMEZ, individually, and on
17 behalf of all others similarly situated,

18 Plaintiff,

19 v.

20 PEROT SYSTEMS CORPORATION, a
21 Delaware Corporation; and DOES 1 to 50,

22 Defendants.

23 Case No.: CV 08 3337 SC

24 **STIPULATION ON DISCLOSURE
25 OF WITNESS CONTACT
26 INFORMATION**

27 WHEREAS, the parties filed a joint motion with the Court about the scope and procedure
28 for Perot Systems Corporation to notify current and former employees that Plaintiff's counsel
sought their contact information;

29 WHEREAS, Plaintiff's counsel proposed notifying putative class members identified in
30 specific tables contained within OPAS/Remedy data produced by Defendant;

31 WHEREAS, on July 17, 2009, the Court stated that Defendant must either (a) produce the
32 contact information for those individuals identified in the OPAS/Remedy data using the
33 methodology suggested by Plaintiff's counsel; or (b) propose an alternative approach;

1 **WHEREAS**, the Court stated that an “opt-out notice” need not target individuals who are
2 putative class members, it must be reasonably calculated to reach those individuals who may have
3 information related to Plaintiff’s claims, whether those individuals are putative class members or
4 not;

5 **WHEREAS**, the Court ordered the parties to meet and confer about a method to identify
6 these persons and provide them with notice about the potential disclosure of their contact
7 information to Plaintiff’s counsel;

8 **WHEREAS**, the parties have arrived at a mutually acceptable approach to the identify
9 these persons and provide them notice;

10 **THEREFORE**, the Parties stipulate as follows:

11 Perot Systems Corporation will provide a third-party administrator, Rust Consulting, Inc.,
12 with the last-known contact information for current and former employees who, between May 27,
13 2004 and the present: (i) were classified as nonexempt; (ii) worked in California; and
14 (iii) received at least one Severity Level 1 or Severity Level 2 page from Perot Systems
15 Corporation’s OPAS/Remedy system outside of their client’s normal business hours (the
16 “Notified Persons”). Based on the data in the OPAS/Remedy system, approximately 980 persons
17 meet these criteria.

18 The third-party administrator shall send the notice attached hereto as Exhibit A to each
19 Notified Person, who shall then have 30 days to return the enclosed post-card in order to prevent
20 his or her contact information from being shared with Plaintiff’s counsel (the “Opt-Out
21 Postcard”). Any Notified Person whose Opt-Out Postcard is postmarked within 30 days of the
22 date of mailing of the notice shall be deemed to have timely opted-out of disclosure of his or her
23 contact information.

24 No earlier than 35 days and no later 45 days after mailing the Exhibit A notice, the third-
25 party administrator shall compile a list of all Notified Persons who did not return the Opt-Out
26 Postcard and provide that list to Plaintiff’s counsel and Defense counsel.

27 Plaintiff’s counsel shall bear the entire cost associated with providing this notice. The
28 parties may stipulate to additional mailings to individuals not identified through the methodology

1 described herein. Plaintiff reserves the right to seek leave of Court to expand the list of recipients
2 of the notice should additional facts be adduced that identify other individuals as putative class
3 members and/or persons with knowledge of Plaintiff's claims.

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5 Dated: August 21, 2009

6 JACKSON LEWIS LLP

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By: 

JoAnna L. Brooks
Timothy C. Travelstead
Anne V. Leinfelder
Douglas M. Bria
Attorney for Defendant
PEROT SYSTEMS CORPORATION,
a Delaware Corporation

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Dated: August 21, 2009

14 CHAVEZ & GERTLER LLP

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SCHNEIDER WALLACE COTTRELL BRAYTON
KONECKY LLP

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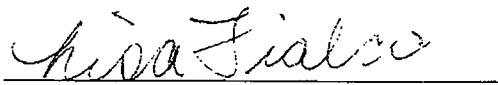
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Dated: 9/3/9

By: 

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GOMEZ and the Proposed Class

